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March 26, 2002 LB 1040, 1041

pending, they would simply be claims pending against the state.

SENATOR CONNEALY: Yes.

SENATOR BRASHEAR: And we could address them in the next

session.

SENATOR CONNEALY: Yes.

SENATOR BRASHEAR: And...and we would then engage in the time-honored tradition of paying slowly that which we don't like that we've been ordered to pay. Is that true?

SENATOR CONNEALY: Yes, but I...I think we don't like the process that we are under and that we could fix, but we're not doing it. So I think we ought to pay them now.

SENATOR BRASHEAR: I think we don't like the process. I think we don't like things that Senator Vrtiska was pointing out, what's called a per engagement fee as opposed to...I don't even like it as between county attorneys. In some cases they're getting paid by the hour, which is the Abraham Lincoln method. A lawyer's time and advice is his stock and trade. In others, we're getting charged what somebody thinks it's worth, whether it's really worth it or not and whether it's set at the right unit price. So I think there are all kinds of issues with the thing and I'm bothered by simply going forward and then ignoring it. Is there not a solution that we can get from your committee under your leadership that would address this and address the concerns I've heard expressed on the floor? I would yield to Senator Connealy in order that he can respond.

SPEAKER KRISTENSEN: Senator Connealy.

SENATOR CONNEALY: I think the answer is LB 1041, where we assign this duty to the Attorney General to represent us. If the...if the body still wants administrative license revocations, then I think it's our responsibility to do it and our responsibility to manage it. If the Attorney General can convince county attorneys to do the work for him without being paid, I think that's wonderful and I think that that will happen